

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

Gretchen B. Maglich, Commissioner,
Department of Labor and Industry,
State of Minnesota,
Complainant,

v.

Diamond Brands Incorporated,
Respondent.

**ORDER ON MOTION
FOR SUMMARY DISPOSITION AND
ESTABLISHING TRIAL DATES**

The above-entitled matter is before the undersigned Administrative Law Judge on Respondent's motion for summary disposition. Respondent filed its motion on August 7, 1998. Complainant filed a memorandum in opposition to the motion on August 20, 1998. Oral arguments were heard on August 25, 1998 and the record closed on that date.

Francis C. Ling, Assistant Attorney General, 525 Park Street, Suite 200, St. Paul, Minnesota 55103-2106 appeared on behalf of the Complainant. Joseph J. Roby, Jr., Attorney at Law, Johnson, Killen, Thibodeau, & Seiler, P.A., 811 Norwest Center, 230 West Superior Street, Duluth, Minnesota 55802 appeared on behalf of Respondent.

Based upon all of the files, records, and proceedings herein, and for the reasons set forth in the accompanying Memorandum, the Administrative Law Judge makes the following:

ORDER

IT IS HEREBY ORDERED:

That Respondent's motion for summary disposition is DENIED.

That the trial dates shall be September 22-24, 1998, at the time and location previously established by the order initiating this contested case.

Dated this 3rd day of September, 1998.

ALLEN E. GILES
Administrative Law Judge

MEMORANDUM

The Judge has determined that the parties must have a quick decision on the motion for summary judgment in view of the fact that the trial is scheduled for the week of September 21, 1998. This Order does not contain an analysis of the reasons for the decision to deny Respondent's request for summary judgment. An analysis and explanation of the reasons will be included in the Report of the Administrative Law Judge to be issued after the close of the record in this case.

AEG